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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,867	12/19/2001	Mikko Siikaniemi	324-010670-US(PAR)	1044
2512	7590	10/04/2006	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			TRUONG, LAN DAI T	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,867

Applicant(s)

SIKANIEMI, MIKKO

Examiner

Lan-Dai Thi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/19/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is response to communications: application, filed 11/16/2001; amendment filed 02/17/2006. Claims 1-12 are pending

Response to Arguments

2. Applicant's arguments filed 07/05/2006 have been fully considered. But Applicant's arguments are not persuasive. The previous Office Action is retained

Regarding to applicant's arguments with respect to the difference between "hold" as disclosed in the Brachama and "deactivating" as claimed are not persuasive for the following reasons: Applicant does not define clearly the terms "activate" and "deactivating" in the specification; so based definitions disclosed in (America Heritage College Dictionary, fourth edition), "activate" carries meaning of setting in motion, page 13, lines 88-91, so "deactivating" means "to stop setting in motion"; "hold" carries meaning of stopping movement or process, page 660, left column, lines 25-26. Consequently, Examiner assumes "deactivating" shares functionality with "hold".

Claim rejections-35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 5, 7 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Brachaman et al. (U.S. 6,374,102), "Brachaman", herein after.

Regarding to claims 1, 5, 7 and 12:

Brachaman discloses a system, which can be implemented in a computer hardware or software code for arranging data transmission in a packet radio system comprising at least one mobile termination part, a terminal equipment part functionally connected thereto, and a packet radio network comprising:

Activating a first packet data protocol context between said packet radio network and mobile termination part for reception and transmission of packet-switched data: Brachaman discloses "active call" which is equivalent to "a first packet data protocol context": (column 9, lines 1-32)

Activating a second packet data protocol context between the packet radio network and the mobile termination part for a dial-up connection: Brachaman discloses "setting up a conference call" which is shared functionality with "second context being activated": (column 9, lines 1-32)

Deactivating said first context in response to said second context being activated: Brachaman discloses "on hold" which is equivalent to "deactivating": (column 9, lines 1-32)

Deactivating said second context in response to the dial-up connection being released:
(column 9, lines 1-32)

Activating a third packet data protocol context, substantially conforming to said first context, in response to said second context being deactivated: Brachaman discloses method of “recovering the previously active call” which is equivalent to “said first context”: (column 9, lines 1-32)

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 2, 8 are rejected under 35 U.S.C 103(a) as being un-patentable over
Brachaman in view of Martin et al. (WO 99,18741)**

Regarding to claims 2 and 8:

Brachaman discloses the invention substantially as disclosed in claims 1 and 7, but does first default parameters stored in advance in the mobile termination part, and said third context is activated in accordance with the same default parameters

In analogous art, Martin discloses “modem connection” which is equivalent to “the first context and the third context” as default parameters: (page 2, lines 6-24; page 3, lines 10-20)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Martin’s ideas of dropping modem connection if detecting of

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idle connection with Lord's system in order to minimizing connection costs: (Martin: page 3, lines 19-20)

Claims 3, 6, 9 and 11 are rejected under 35 U.S.C 103(a) as being un-patentable over Brachaman in view of Lord et al. (U.S. 6,763,012)

Regarding to claims 3 and 9:

In addition to rejection in claims 1 and 7, Brachaman further discloses said third context for the transmission of data of an application comprised by the mobile termination part: (Brachaman: "previously active call" which is equivalent to "page 2, lines 6-24)

However, Brachaman does not explicitly teach wherein the terminal equipment part and the mobile termination part are physically in different devices, the data of the applications comprised by which can be transmitted via the packet radio network

In analogous art, Lord discloses "the MT" which is equivalent to "mobile termination", and "the TEs" what are equivalent to "terminal equipments" are physically in different devices, and the General Packet Radio Service (GPRS) network is equivalent to "the packet radio network": (figure 1, items 14, 12 and 18)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Brachaman's ideas of activating the previous active call with Lord's system in order to provide an efficiency phone system, see (Brachaman: column 2, lines 3-10)

Regarding to claims 6 and 11:

Brachaman discloses the invention substantially as disclosed in claim 1, but does not explicitly teach wherein the packet radio system is GPRS

In analogous art, Lord discloses the General Packet Radio Service (GPRS) network is equivalent to "the packet radio network": (figure 1, items 14, 12 and 18)

Claims 4, 10 are rejected under 35 U.S.C 103(a) as being un-patentable over Brachaman in view of Forslow (U.S. 2003/0039237)

Regarding to claims 4 and 10:

Brachaman discloses the invention substantially as disclosed in claims 1 and 7, but does not explicitly teach wherein the terminal equipment part and a packet network gateway support node (GGSN) support a PPP protocol (Point to Point Protocol), whereby said second context is activated for setting up a dial-up connection between the mobile termination part and the GGSN, a PPP link is set up between the terminal equipment part and the GGSN, and data associated with an application comprised by the terminal equipment part is transmitted by means of the PPP link and said second context

However, Forslow discloses IP/PPP protocol supports the communication between mobile station and the SCSN such as dial-up connection, see (Forslow: page 7, left column, lines 10-33)

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Forslow's ideas of using IP/PPP protocol to supports the communication between mobile station and the SCSN with Brachaman's system in order to enable to establish dial-up connection, see (Forslow: page 7, left column, lines 10-33)

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusions

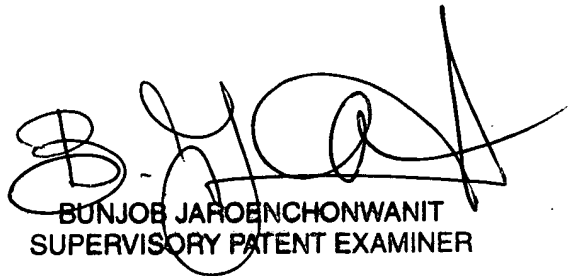
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

09/27/2006



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SUPERVISORY PATENT EXAMINER